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Paper No. 9

EDWARD G. POPLAWSKI
SIDLEY AUSTIN BROWN & WOOD LLP
555 WEST FIFTH STREET, SUITE 4000
LOS ANGELES, CA 90013-1010

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NOV 25 2002

OFFICE OF PETITIONS

In re Application of	:
James J. Hickman et al	:
Application No. 09/880,138	: DECISION GRANTING
Filed: June 12, 2001	: STATUS UNDER 37 CFR 1.47(a)
For: BIOSENSOR FOR USE IN TOXICITY	:
ASSESSMENT AND	:
PHARMACOLOGICAL SCREENING	:

This is in response to the petition filed May 13, 2002 and supplemented on November 21, 2002, requesting reconsideration of a decision mailed March 29, 2002, which refused to accord 37 CFR 1.47(a) status to the above-identified application.

The petition is granted.

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status. As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Telephone inquiries regarding this decision should be directed to Irvin Dingle at (703) 306-5684.

This application is being forwarded to the Initial Patent Examination Unit.


Frances Hicks

Lead Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



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DAVID A. STENGER
2520 BROFFERTON COURT
SPRINGFIELD, VA 22150

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NOV 25 2002

OFFICE OF PETITIONS


In re Application of
James J. Hickman; Douglas A. Kirkpatrick; David A. Stenger
Application No. 09/880,138
Filed: June 12, 2001
For: BIOSENSOR FOR USE IN TOXICITY ASSESSMENT AND PHARMACOLOGICAL
SCREENING

Dear Mr. Stenger:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the Irvin Dingle at (703) 306-5684. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1 (800) 972-6382 (outside the Washington D.C. area).


Frances Hicks
Lead Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc:

Edward G. Poplawski
Sidley Austin Brown & Wood LLP
555 West Fifth Street, Suite 4000
Los Angeles, CA 90013-1010